Gabriel Del Virginia, Esq. (GDV-4951)
LAW OFFICES OF GABRIEL DEL VIRGINIA
Proposed Attorneys for the Debtor
and Debtor in Possession.
880 Third Avenue, 13th Floor,
Telephone: 212-371-5478
Facsimile: 212-371-0460
gabriel.delvirginia@verizon.net

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----------------------------X

In re

Citicare, Inc., Chapter 11

Debtor. Case No. 13-11902-alg

-----------------------------X

APPLICATION FOR AN ORDER AUTHORIZING THE RETENTION OF THE LAW OFFICES OF GABRIEL DEL VIRGINIA, AS ATTORNEYS FOR THE DEBTOR AND DEBTOR-IN-POSSESSION NUNC PRO TUNC FROM JUNE 9, 2013.

TO: THE HONORABLE ALLAN L. GROPPER,
UNITED STATES BANKRUPTCY JUDGE

The application of Citicare, Inc., the debtor and debtor-in-possession (the "Debtor"), for an order authorizing the retention of the Law Offices of Gabriel Del Virginia, as attorney for the debtor and debtor-in-possession, *nunc pro tunc* from June 9, 2013, the Debtor respectfully represents and says:

CASE BACKGROUND.

1. The Debtor filed its voluntary petition for relief under chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§101 *et*

seq. (the "Bankruptcy Code") on June 9, 2013 (the "Petition Date"). The Debtor continues to manage its property as a debtor and debtor-in-possession. No trustee or examiner has been appointed in this case. Also, no official committee of unsecured creditors has been appointed.

2. No trustee or examiner has been appointed in this case. Also, no official committee of unsecured creditors has been appointed.

3. The Debtor is a New York Corporation and is a New York State Licensed Diagnostic and Treatment Center providing comprehensive primary and specialty care to medically underserved communities. The Debtor operates from its premises (the "Premises") located at 154 West 127th Street in the borough of Manhattan, City of New York.

4. The Debtor's emergent need to seek relief was necessitated by the Internal Revenue Service (the "IRS") levying the Debtor's accounts for tax liability, which the IRS alleges to be in the amount of approximately $1,100,000.00. Additionally, the New York Department of Health ("NYDPH") alleges that it is owed approximately $300,000.00 and, as a result, is withholding payment from the Debtor for services until the matter is resolved. The withholding of payment by the NYDPH has had an adverse effect on the Debtor's business.

5. The failure of the Debtor's business would adversely affect

the residents medically underserved community which rely upon the Debtor as their primary source of medical care.

6. The Debtor's management believes that, given the breathing spell provided by the filing of this case, the Debtor will be able to successfully reorganize through restructuring its finances, finding an investor and/or resolving consensually any issues with the IRS or NYDPH.

RELIEF REQUESTED.

7. The Debtor wishes to retain and employ The Law Offices of Gabriel Del Virginia (the "Del Virginia Office") as its attorneys in this chapter 11 case.

8. The Debtor has selected the Del Virginia Office because it has extensive experience in bankruptcy cases; especially in chapter 11 cases of this character. The Debtor's management believes that the Del Virginia Office is well qualified to continue to provide services to the Debtor as a debtor-in-possession in the instant reorganization.

9. The Del Virginia Office will render the following professional services:

(a) Provide the Debtor legal advice regarding its authorities and duties as a debtor-in-possession in the continued operation of its business and the management of its property and affairs;

(b) Prepare all necessary pleadings, orders, and related legal documents and assist the Debtor and its accounting professionals in preparing monthly reports to the Office of the United States Trustee; and

(c) Perform any additional legal services to the Debtor which may be necessary and appropriate in the conduct of this case.

10. To the best of the Debtor's knowledge, the Del Virginia Office has no connection with the Debtor, its creditors, or any other party in interest, or their respective attorneys or agents, except as may be set forth in the declaration of Gabriel Del Virginia, Esq., annexed to this Application and made a part hereof.

11. The Del Virginia Office represents no interest adverse to the Debtor as a debtor-in-possession or to its estate and their employment would be in the best interest of the Debtor, its estate and its general creditor body. The Del Virginia Office was paid by the Debtor the amount of $17,500.00; of which $1,213.00 was applied to the filing fee in this case.

12. The Del Virginia Office billing rates are as follows:

Gabriel Del Virginia, Partner	$475.00 per hour
Associate	$225.00 per hour
Paralegal	$95.00 per hour.

WHEREFORE, The Debtor respectfully requests that this Court enter an order:

(a) authorizing the Debtor to employ and retain The Del Virginia Office in this case, effective as of the Petition Date; and

(b) granting the Debtor such other and further relief as may be appropriate.

Dated: June 18, 2013
New York, New York

Citicare, Inc.,
Debtor and Debtor in Possession
/s/ Silva Umukoro
Silva Umukoro
President

Gabriel Del Virginia, Esq. (GDV-4951)
LAW OFFICES OF GABRIEL DEL VIRGINIA
Proposed Attorneys for the Debtor
and Debtor in Possession.
880 Third Avenue, 13th Floor,
Telephone: 212-371-5478
Facsimile: 212-371-0460
gabriel.delvirginia@verizon.net

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
-----------------------------X

In re

Citicare, Inc., **Chapter 11**

Debtor. **Case No. 13-11902-alg**
-----------------------------X

DECLARATION PURSUANT TO 28 U.S.C. § 1746
OF PROPOSED ATTORNEY
UNDER BANKRUPTCY RULES 2014 and 2016.

I Gabriel Del Virginia declare, pursuant to 28 U.S.C. § 1746, the following:

1. I am the sole member of The Law Offices of Gabriel Del Virginia (the "Del Virginia Office"), which maintains offices for the practice of law at 880 Third Avenue, 13th Floor, New York, New York 10022.

2. Neither I, nor any of my associates, insofar as I have been able to ascertain, have any connection with the Citicare, Inc., the above-captioned debtor and debtor in possession (the "Debtor"), its creditors, or any other party in interest herein, or their attorneys, or with the United States Trustee or any person employed in the Office of the United States Trustee.

3. Accordingly, neither I, nor any of my associates, insofar as I have been able to ascertain, represents any interest adverse to the Debtor or the estate herein in the matter upon which the Del Virginia Office is to be engaged.

4. The Del Virginia Office is a "disinterested person" as that term is defined under section 101(14) of the Bankruptcy Code, 11 U.S.C. §101(14).

5. The Del Virginia Office has received a retainer of $17,500.00 from the Debtor; $1,213.00 of which was applied to the filing fee in this case.

6. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 18, 2013.

LAW OFFICES OF GABRIEL DEL VIRGINIA
Proposed Attorneys for the Debtor and Debtor in Possession

By: ***Gabriel Del Virginia***

Gabriel Del Virginia (GDV-4951)
880 Third Avenue, 13th Floor
New York, New York 10022
Telephone: 212-371-5478
Facsimile: 212-371-0460
gabriel.delvirginia@verizon.net
gabriel.delvirginia@verizon.net